THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION No.15789 of 2006

DATE: 31.07.2006

Between:

R. Tirupati

… PETITIONER

AND

The Singareni Collieries Company Limited,
Rep., by its General Manager,
Srirampur Division, Srirampur,
Adilabad District & another.

… RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION No.15789 of 2006

ORDER:-

This writ petition is filed by the petitioner to declare the action of the respondents in not considering his case for promotion to the post of Lab Attendant/Lab Technician, as illegal, unjust, contrary to law and violative of Articles 14, 16 and 21 of the Constitution of India.

The case of the petitioner is that he joined in the service of the respondents on 12.05.1988 as Badli Worker, and thereafter, he was selected as Sampling Mazdoor on 14.07.1989. Later on, he was asked to work on the post of Lab Attendant/Lab Technician in Analytical Laboratory, and he is presently working in that capacity. He submits that though he is working as Lab Attendant/Lab Technician, the respondents are showing his designation as Sampling Mazdoor, and they have promoted one Mr. Sampath Kumr Reddy, who is similarly placed and junior to him as Lab Attendant, while they have not considered his case, even though the Superintendent of Mines (QM), Srirampur (Projects), recommended his case for promotion as long back as on 17.04.2004. He further submits that the respondents instead of promoting the petitioner, are trying to revert him. The petitioner submits that he made a representation on 23.05.2006 to the General Manager, Srirampur Area, SC Company Limited, Srirampur – the 1st respondent herein requesting him to post him at Regional

Analytical Laboratory, but no action thereon had been taken, and the same is pending consideration.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent – Singareni Collieries Company Limited. Both the counsel agreed for disposal of the writ petition with a direction to the 1st respondent to consider and dispose of the representation of the petitioner dated 23.05.2006.

Since the representation dated 23.05.2006 of the petitioner is said to be pending consideration before the respondents, and having regard to the agreed stand taken by both the counsel, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following directions:

The 1st respondent – General Manager, Singareni Collieries Company Limited, Srirampur Division, Adilabad, is directed to consider and dispose of the representation dated 23.05.2006 of the petitioner, and pass appropriate orders thereon in accordance with law, expeditiously. If the petitioner is working and discharging his duties as Lab Attendant/Lab Technician, then he shall be continued in the same post till the 1st respondent disposes of his representation.

With the above direction, the writ petition is disposed of. No costs.

N.V. RAMANA, J

Date: 31.07.2006
ES/GRK